

CHAPTER NO. 737

SENATE BILL NO. 2736

By Kyle

Substituted for: House Bill No. 2561

By Shepard

AN ACT to amend Tennessee Code Annotated, Title 63, Chapter 18, relative to massage therapy.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-18-105, is amended by deleting subsections (c) and (d) in their entirety.

SECTION 2. Tennessee Code Annotated, Section 63-18-108, is amended by deleting the first sentence in its entirety and by substituting instead the following:

The board is authorized to deny, restrict or condition any application for licensure, or revoke, suspend or otherwise discipline the license of a massage therapist or an establishment for any of the following if the applicant, licensee or holder of an establishment license:

SECTION 3. Tennessee Code Annotated, Section 63-18-108, is amended in subdivision (7) by deleting the language "or" at the end of such subdivision, by deleting the period at the end of subdivision (8) and by substituting instead a semicolon; and by adding the following new subdivisions thereto:

(9) Violated or attempted to violate, directly or indirectly, or has assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto; or

(10) Has practiced as a licensed massage therapist in an unlicensed massage establishment.

SECTION 4. Tennessee Code Annotated, Title 63, Chapter 18, Part 1, is amended by adding the following new, appropriately numbered section:

63-18-116.

(a) The board is authorized to issue a license to practice massage therapy to an applicant who:

(1) Meets the qualifications set forth in Sections 63-18-105(b)(1) and 63-18-105(b)(2); and

(2) Has been certified by The National Certification Board for Therapeutic Massage and Bodywork for the five (5) year period immediately preceding application for licensure and can submit documentation satisfactory to the board that the applicant has engaged in the practice of massage therapy in another state for the five (5) year period immediately preceding application for licensure, and who either:

(A) Has met the qualifications set forth in Section 63-18-105 (b)(3) but is unable, because the educational institution either was not state approved or is no longer in existence, to produce a transcript to document compliance; or


(B) Graduated from a qualified massage school or course prior to October 1, 1995.

(b) The board is authorized to promulgate such rules as are necessary to effectuate the provisions of this section.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 10, 2006


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 23rd day of May 2006


PHIL BREDESEN, GOVERNOR